

RemarksInventorship:

In response to the Inventorship Statement objection, with this Response, Applicants have submitted a Statement from each inventor that complies with the Regulations.

Rejection of the claims under 35 USC § 112:

Claims 1-15, and 17-20 have been rejected under 35 U.S.C. 112, first paragraph, for adding new matter in the form of "prolonged expression."

The claims have been amended to replace the term "prolonged expression" with the term "expression of longer than seven days" as found in a first instance on page 15, lines 14-16 and throughout the Specification. Applicants believe that the terminology is well supported in the examples.

Additionally, Applicants have replaced the term "transgene" with the terminology "nucleic acid sequence." Applicants have found that the Online Medical Dictionary defines transgene as limited to transfection "into the germ line of transgenic organisms." It is clear from the Specification that the nucleic acid sequence is not intended for a germ line only.

Applicants believe that the amendment obviates the rejection.

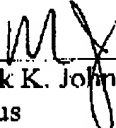
Rejection of the claims under 35 USC § 102:

Claim 18 has been rejected under 35 U.S.C. 102(e) as being anticipated by Rolland et al. (US Patent 6,514,947).

Applicants have canceled claim 18 which obviates the rejection.

The Examiner's rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1-15 and 17 should be allowable.

Respectfully submitted,


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I hereby certify that this correspondence is being sent
by facsimile transmission to: Commissioner for
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on this date: 1/7/2005


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